

SPECIAL MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF IRVINGTON, NEW YORK HELD ON THURSDAY JUNE 26, 2003 AT 7:00 P.M. VILLAGE HALL, 85 MAIN STREET, IRVINGTON, NEW YORK.

Present: Dennis P. Flood, Mayor
Garrard R. Beeney, Trustee
Peter Derby, Trustee
Isabel B. Milano, Trustee
Stephen A. McCabe, Administrator
Donald P. Marra, Deputy Administrator
Kevin J. Plunkett, Village Attorney
Darius Chafizadeh, Village Attorney's Office
Gregory P. Nilsson, Supt. Of Public Works
Louis Grieco, Police Chief

The meeting was called to order by Mayor Dennis P. Flood. Trustee Beeney made a motion to adjourn to executive session. Trustee Milano seconded the motion and it was unanimously approved.

At 8:00 p.m., the Village Board reconvened the meeting. Mayor Flood led the attendance in the pledge of allegiance to the flag of the United States of America.

Mayor Flood opened the floor to comment for matters not contained on the regular agenda. There were no comments from those in attendance.

Trustee Milano made a motion to approve the minutes of the special meeting of the Village Board held May 29, 2003. Trustee Beeney seconded the motion and it was unanimously approved.

Trustee Milano made a motion to approve the minutes of the regular meeting of the Village Board held June 2, 2003. Trustee Beeney seconded the motion and it was unanimously approved.

Mayor Flood read correspondence from John A. Higgons III regarding his resignation from the Tree Preservation Commission; and Andrew C. Lyons regarding his appreciation for the efforts of the Water Department during a water main break.

Mayor Flood issued a proclamation honoring Irvington High School student Ashley Mandel.

Mayor Flood provided some background on the JORAM agreement and read a proposed resolution regarding the termination of the agreement. School District Assistant Supt. For Business James Reese and School Board President Paul Mandel commented on the proposed action. After some discussion, Trustee Milano commented that District residents would still be given the same opportunity to participate in Recreation programs as they currently have. Trustee Milano made a motion to approve the resolution as presented. Trustee Beeney seconded the motion and it was unanimously approved.

Mayor Flood presented a proposed resolution amending parking regulations on Fieldpoint Drive. After some discussion, Trustee Beeney made a motion to approve the following resolution:

RESOLVED TO amend Chapter 213-4 by adding Paragraph 45 as follows:

- (45) On either side of Fieldpoint Drive, from its intersection with the easterly side of North Broadway and South Broadway to its intersection with the northern side of Cyrus Field Road.

Trustee Derby seconded the motion and it was unanimously approved.

Trustee Beeney made a motion to appoint Michael Cerone as Lieutenant at an annual salary of \$87,969 effective May 30, 2003. Trustee Derby seconded the motion and it was unanimously approved. Mayor Flood congratulated Lieutenant Cerone on his promotion.

Mayor Flood provided background on the resolution authorizing the Irvington Volunteer Ambulance Corps to participate in the Westchester County Emergency Medical Services Mutual Aid Plan. Trustee Milano made a motion to approve the following resolution:

RESOLVED that the Irvington Volunteer Ambulance Corps elects to participate in the Westchester County EMS Mutual Aid Plan, will agree to recognize a call for assistance through the Westchester County Emergency Communications Center (60-Control) and will comply with the provisions of such plan as now in force and as amended from time to time. The provider further agrees not to bill the requesting emergency

service agency, requesting community (i.e., city, town or village), or the County of Westchester for services rendered.

BE IT FURTHER RESOLVED that a copy of this resolution be filed with the county EMS and CAD coordinators.

Trustee Derby seconded the motion and it was unanimously approved.

Mayor Flood announced that a public hearing would be held on July 21, 2003 to consider a local law amending Chapter 59 (Records) of the Village Code. Clerk-Treasurer Lawrence Schopfer commented on the proposed local law.

Mayor Flood presented the findings of the environmental impact studies regarding the proposed 2003 Comprehensive Plan pursuant to the State Environmental Quality Review Act (SEQRA). Trustee Beeney made a motion to approve the following resolution:

RESOLVED that after careful review of the environmental assessment form, it is the determination of the Village Board of Trustees that the adoption of the 2003 Comprehensive Plan will have no negative impacts on the environment. Accordingly, a negative declaration will be prepared and filed in the office of the Village Clerk.

Trustee Milano seconded the motion and it was unanimously approved.

Mayor Flood provided background on the effort put forth by the Land Use Committee, Village Staff and the Board of Trustees to develop the 2003 Comprehensive Plan. Trustees Beeney and Derby thanked all those involved in the creation of the plan. After some discussion about the plan, Trustee Beeney made a motion to adopt the 2003 Comprehensive Plan. Trustee Milano seconded the motion and it was unanimously approved.

Trustee Beeney made a motion to adopt the following resolution:

RESOLVED to designate the Irvington Board of Trustees as lead agency with respect to a State Environmental Quality Review Act review of an environmental assessment form regarding proposed amendments to the Zoning Code of the Village of Irvington, in order to implement the adopted 2003 Comprehensive Plan including new zoning districts, buffer zones, cluster subdivisions, floor area ratios, and water bodies / watercourses.

Trustee Milano seconded the motion and it was unanimously approved.

Trustee Beeney made a motion to adopt the following resolution:

RESOLVED that after careful review of the environmental assessment form, it is the determination of the Village Board of Trustees that the adoption of the proposed amendments to the Zoning Code of the Village of Irvington, in order to implement the adopted 2003 Comprehensive Plan including new zoning districts, buffer zones, cluster subdivisions, floor area ratios, and water bodies / watercourses will have no negative impacts on the environment. Accordingly, a negative declaration will be prepared and filed in the office of the Village Clerk.

Trustee Milano seconded the motion and it was unanimously approved.

Mayor Flood continued the public hearings regarding proposed legislation intended to implement the adopted 2003 Comprehensive Plan including: (a) new zoning districts; (b) buffer zone; (c) floor area ratio; (d) cluster subdivisions; and (e) water bodies / watercourses.

John Marwell, representing the owners of Bridge Street Properties, suggested certain changes to the proposed Business district regulations. After some additional discussions, Trustee Beeney made a motion to close the public hearings. Trustee Milano seconded the motion and it was unanimously approved.

Trustee Beeney made a motion to adopt the following resolution:

RESOLVED to adopt the following local laws as presented:

- (a) new zoning districts
- (b) buffer zone
- (c) floor area ratio
- (d) cluster subdivisions
- (e) water bodies / watercourses

FURTHER RESOLVED to modify the proposed new zoning districts amendment to eliminate any change of zoning district for all properties West of the Metro North Railroad tracks currently zoned as Industrial (I) and leave the Industrial (I) district regulations in the Zoning Code.

Trustee Milano seconded the motion and it was unanimously approved.

Trustee Beeney made a motion to adopt the following resolution:

RESOLVED to designate the Irvington Board of Trustees as lead agency with respect to a State Environmental Quality Review Act review of an environmental assessment form regarding proposed amendments to the official zoning map.

Trustee Derby seconded the motion and it was unanimously approved.

Trustee Beeney made a motion to adopt the following resolution:

RESOLVED that after careful review of the environmental assessment form, it is the determination of the Village Board of Trustees that the adoption of the proposed amendments to the official zoning map will have no negative impacts on the environment. Accordingly, a negative declaration will be prepared and filed in the office of the Village Clerk.

Trustee Derby seconded the motion and it was unanimously approved.

Mayor Flood opened a public hearing regarding proposed amendments to the official zoning map.

Trustee Beeney made a motion to close the public hearing. Trustee Derby seconded the motion and it was unanimously approved.

Trustee Beeney made a motion to adopt the official zoning map as presented, except that the zoning district covering all properties West of the Metro North Railroad tracks shall remain as Industrial (I) zoning. Trustee Milano seconded the motion and it was unanimously approved.

Trustee Beeney made a motion to adopt the following resolution:

RESOLVED to designate the Irvington Board of Trustees as lead agency with respect to a State Environmental Quality Review Act review of an environmental assessment form regarding proposed amendments to the Village Code including (a) stonewalls; (b) view preservation district; and (c) fresh water wetlands.

Trustee Milano seconded the motion and it was unanimously approved.

Trustee Beeney made a motion to adopt the following resolution:

RESOLVED that after careful review of the environmental assessment form, it is the determination of the Village Board of Trustees that the adoption of the proposed amendments to the Village Code including (a) stonewalls; (b) view preservation overlay district; and (c) fresh water wetlands. Accordingly, a negative declaration will be prepared and filed in the office of the Village Clerk.

Trustee Milano seconded the motion and it was unanimously approved.

Mayor Flood opened public hearings regarding proposed amendments to the Village Code including (a) stonewalls; (b) view preservation overlay district; and (c) fresh water wetlands.

After some discussion, Trustee Beeney made a motion to close the public hearings. Trustee Milano seconded the motion and it was unanimously approved.

RESOLVED to adopt the following local laws as presented:

- (a) stonewalls
- (b) view preservation overlay district
- (c) fresh water wetlands

Trustee Milano seconded the motion and it was unanimously approved.

Trustee Derby made a motion to approve the following resolution:

WHEREAS the Board of Trustees enacted the Interim Development Law of the Village of Irvington 2003 on February 18, 2003 following a duly noticed public hearing held on that same date, and

WHEREAS said Law was filed with the New York State Secretary of State on February 27, 2003, and

WHEREAS the 2003 Comprehensive Plan of the Village of Irvington was adopted at a meeting held on June 26, 2003 along with certain legislation related to the Plan, and

WHEREAS the Board of Trustees has determined that the provisions of the Interim Development Law of the Village of Irvington 2003 are no longer necessary as a result of the adoption of the Comprehensive Plan and related legislation, now therefore

BE IT RESOLVED that the Board of Trustees hereby rescinds the Interim Development Law of the Village of Irvington 2003 effective upon filing of this resolution with the New York State Secretary of State.

Trustee Beeney seconded the motion and it was unanimously approved.

The Board did not hear any requests for waiver from the provisions of the Interim Development Act of 2003.

Trustee Beeney made a motion to create an ad hoc committee to address the contours of legislation relative to the establishment of an historic district. Trustee Milano seconded the motion and it was unanimously approved.

Trustee Beeney made a motion to create an ad hoc committee to address transportation measures to prepare the Village for present and future challenges as described in the transportation section of the 2003 Comprehensive Plan. Trustee Milano seconded the motion and it was unanimously approved.

Trustee Beeney made a motion to appoint Louis Grieco to the position of Police Chief at an annual salary of \$93,000 effective July 25, 2003 with a probationary period of 52 weeks. Trustee Derby seconded the motion and it was unanimously approved.

Mayor Flood reported that the Village Board received a petition for an amendment of the Village Zoning Code from the Irvington Station Corporation. Mayor Flood indicated that the Board was referring the application to the Irvington Planning Board.

Trustee Derby made a motion to award a contract for sidewalk construction to the low bidder Peter J. Landi, Inc. in the base amount of \$50,179.50 and to approve a change order in an amount not to exceed \$12,500 for additional work pursuant to the additional work unit price submitted on the bid. Trustee Beeney seconded the motion and it was unanimously approved.

Trustee Derby reported on the activities of the Department of Public Works and the Library.

Trustee Milano requested the appointment of Barbara Wright and Rita Milo as members of the Community Advisory Board. Mayor Flood appointed the new members as requested. Trustee Milano further reported on the progress of the basketball court construction and other activities in the Recreation and Parks Department.

Village Administrator Stephen McCabe reported on the activities of the Water Department.

Village Attorney Kevin Plunkett commended the Board and all those involved in the process surrounding the creation, adoption, and implementation of the 2003 Comprehensive Plan.

Trustee Beeney thanked Mayor Flood for this vision and efforts in putting together the team involved with the 2003 Comprehensive Plan.

Clerk-Treasurer requested 2003 assessment reductions for the following properties:

Kirkpatrick 10C-226-21 From \$31,300 to \$24,000
Turett 12B-P41 From \$68,300 to \$61,250

Trustee Derby made a motion to approve the assessment reductions as presented and to authorize Clerk-Treasurer Lawrence Schopfer to transfer necessary funding from Contingency to make the related refund payments in the amount of \$2,391.43. Trustee Milano seconded the motion and it was unanimously approved.

Trustee Beeney made a motion to adjourn to executive session to discuss matters of personnel and litigation. Trustee Derby seconded the motion and it was unanimously approved.

After reconvening from executive session, upon a motion duly made, seconded and unanimously approved, the Board approved various persons for employment in the Recreation and Public Works Departments as shown on the attached list.

There being no further business, the meeting was adjourned.

Lawrence S. Schopfer, Clerk-Treasurer

Attachments